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# SENATE CONCURRENT RESOLUTION

URGING THE DEPARTMENT OF HEALTH TO AMEND THE HAWAII  
ADMINISTRATIVE RULES TO AUTHORIZE LICENSED DIETITIANS TO  
PRESCRIBE MODIFIED DIETS AND PLAN THERAPEUTIC DIETS.

1           WHEREAS, Hawaii has repeatedly and consistently been  
2 recognized by the federal government as a health professional  
3 shortage area; and

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5           WHEREAS, registered dietitian nutritionists (RDNs) enhance  
6 patient care by providing key nutrition services, and are  
7 recognized widely by physicians as the most qualified health  
8 care professionals to help patients with diet-related  
9 conditions; and

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11           WHEREAS, in 2014, the federal Centers for Medicare and  
12 Medicaid Services (CMS) announced a final rule allowing RDNs in  
13 hospital settings to be privileged to independently write diet  
14 orders without the supervision or approval of the physician, on  
15 the basis that it would:

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17           (1) Reduce unnecessary and burdensome procedures by  
18 physicians to write the diet orders;  
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20           (2) Increase flexibility for health care providers to  
21 improve care;  
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23           (3) Reduce costs to each health care facility; and  
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25           (4) Allow primary care physicians to focus on their  
26 respective areas of expertise to care for patients;  
27 and

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29           WHEREAS, the CMS rules deferred to each individual hospital  
30 system the determination of whether to grant RDNs specific  
31 nutrition order-writing privileges to suit each hospital  
32 system's needs, within the confines of state regulations; and



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2 WHEREAS, the existing Hawaii Administrative Rules do not  
3 allow licensed dietitians to issue diet orders; and

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5 WHEREAS, allowing licensed dietitians to prescribe and plan  
6 diets within the State's health care system will reduce issues  
7 associated with the current shortage of physicians in the State,  
8 while ensuring that patients have sufficient nutrition; now,  
9 therefore,

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11 BE IT RESOLVED by the Senate of the Thirty-second  
12 Legislature of the State of Hawaii, Regular Session of 2024, the  
13 House of Representatives concurring, that the Department of  
14 Health is urged to amend the Hawaii Revised Statutes to  
15 authorize licensed dietitians to prescribe modified diets and  
16 plan therapeutic diets; specifically, by amending section  
17 11-93-8, subsections (c) and (d), Hawaii Administrative Rules,  
18 to read as follows:

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20 "(c) All modified diets shall be:

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22 (1) Prescribed by the patient's physician or  
23 qualified dietitian privileged by the hospital to  
24 do so with a record of the diet as ordered kept  
25 on file.

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27 (2) Planned, prepared, and served by qualified  
28 personnel using the current Hawaii Dietetic  
29 Association manual or the American Dietetic  
30 Association manual, or both.

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32 (3) Reviewed and adjusted as needed.

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34 (d) Therapeutic diets shall be planned by a [~~qualified~~]  
35 licensed dietitian, as prescribed by the patient's  
36 physician[+] or licensed dietitian privileged by the  
37 hospital to do so. Nutrition assessment and dietary  
38 counseling shall be provided by a dietitian when indicated  
39 for a patient. Nutrition plans and follow-ups shall be  
40 documented in the individual medical record."; and

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- 1 BE IT FURTHER RESOLVED that a certified copy of this
- 2 Concurrent Resolution be transmitted to the Director of Health.

